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Summary record of the 23rd meeting
Held at Headquarters, New York, on Wednesday, 23 December 2015, at 3 p.m.

Chair: Mr. Bhattarai ..... (Nepal)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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Programme budget implications relating to the proposed programme budget for the biennium 2016-2017

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Draft report of the Fifth Committee

Agenda item 132: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Questions deferred for future consideration

Completion of the work of the Fifth Committee at the main part of the seventieth session of the General Assembly

The meeting was called to order at 5 p.m.

Agenda item 133: Programme budget for the biennium 2014-2015 (*continued*) (A/C.5/70/L.10)

Draft resolution A/C.5/70/L.10: Programme budget for the biennium 2014-2015

1. *Draft resolution A/C.5/70/L.10 was adopted.*

Agenda item 144: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*) (A/C.5/70/L.11)

Draft resolution A/C.5/70/L.11: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

2. *Draft resolution A/C.5/70/L.11 was adopted.*

Agenda item 145: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/70/L.12)

Draft resolution A/C.5/70/L.12: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

3. *Draft resolution A/C.5/70/L.12 was adopted.*

Agenda item 146: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*) (A/C.5/70/L.13)

Draft resolution A/C.5/70/L.13: International Residual Mechanism for Criminal Tribunals

4. *Draft resolution A/C.5/70/L.13 was adopted.*

Agenda item 141: United Nations common system (*continued*) (A/C.5/70/L.14)

Draft resolution A/C.5/70/L.14: United Nations common system

5. *Draft resolution A/C.5/70/L.14 was adopted.*

Agenda item 138: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*) (A/C.5/70/L.15)

Draft resolution A/C.5/70/L.15: Scale of assessments for the apportionment of the expenses of the United Nations

6. *Draft resolution A/C.5/70/L.15 was adopted.*

Agenda item 147: Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations (*continued*) (A/C.5/70/L.16)

Draft resolution A/C.5/70/L.16: Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

7. *Draft resolution A/C.5/70/L.16 was adopted.*

8. **The Chair** said that, on an exceptional basis for the 2016-2018 scale period only, three countries in level B, the Bahamas, Bahrain and Oman, would be afforded discounts of 7.5 per cent in their assessment rates. In 2018 only, Saudi Arabia would be afforded a 7.5 per cent discount. The discounts would be borne on a pro rata basis by the permanent members of the Security Council.

Agenda item 134: Proposed programme budget for the biennium 2016-2017 (*continued*)

Programme budget implications relating to the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.17)

Draft decision A/C.5/70/L.17: Programme budget implications relating to the proposed programme budget for the biennium 2016-2017

9. *Draft decision A/C.5/70/L.17 was adopted.*

Questions relating to the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.18)

Draft resolution A/C.5/70/L.18: Questions relating to the proposed programme budget for the biennium 2016-2017

10. *Draft resolution A/C.5/70/L.18 was adopted.*

Draft report of the Fifth Committee (A/C.5/70/L.23)

11. **The Chair** drew attention to the draft report of the Fifth Committee on the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.23), which described the actions taken by the Committee and contained its recommendations. He invited the Committee to consider the recommendations in part III.

Draft resolution I: Questions relating to the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.18)

12. **The Chair** recalled that draft resolution I had been adopted earlier in the meeting.

Draft resolution II: Special subjects relating to the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.19)

13. **Mr. Sánchez Azcuy** (Cuba) said, with regard to the Secretary-General's report on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council under thematic cluster I: special and personal envoys and special advisers of the Secretary-General (A/70/348/Add.1), that no intergovernmental agreement on the definition of the responsibility to protect had been reached. The budget estimates and related narrative for the Special Adviser to the Secretary-General on the Responsibility to Protect should be removed from the budget document until the General Assembly took decisions on the concept, its implementation and scope, and other related matters.

14. He proposed that two new preambular paragraphs and two new operative paragraphs should be inserted in section XX of draft resolution A/C.5/70/L.19. The first new preambular paragraph would read, "*Recalling* that the General Assembly has not decided on the concept of responsibility to protect, its scope, implications and possible means of implementation"; the second new preambular paragraph would read, "*Noting* that the estimates of thematic cluster I comprise narratives, functions, expected accomplishments, indicators of achievements, outputs, and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect". The first new operative paragraph would read, "*Decides* to delete all references to the activities and outputs related to the responsibility to protect, as contained in the strategic framework and the related narratives of the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide"; the second new operative paragraph would read, "*Requests* the Secretary-General to issue a corrigendum to his report".

15. **Mr. Maes** (Luxembourg), speaking on behalf of the European Union, requested a recorded vote on the proposed oral amendment, the effects of which went beyond the purview of the Committee.

Statements made in explanation of vote before the voting

16. **Mr. Vachon** (Canada), speaking also on behalf of Australia and New Zealand, said that those delegations seconded the call for a recorded vote. The World Summit Outcome, adopted by the General Assembly in 2005, called on individual States and the international community to assume their responsibility under the Charter of the United Nations to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The three delegations would vote against the proposed oral amendment and encouraged others to do likewise.

17. **Mr. Jiménez** (Nicaragua) said that the definition of the concept of responsibility to protect must be based on manifest recognition of the principles of sovereignty, territorial integrity and non-interference in the domestic affairs of States. Since 2012, the resources for the Special Adviser to the Secretary-General on the Responsibility to Protect had been requested in the context of the Office of the Special Adviser on the Prevention of Genocide, whose functions his delegation fully supported in line with the position of principle of his Government against genocide. His delegation would support the proposed oral amendment and invited others to do likewise.

18. **Mr. Yazdani** (Islamic Republic of Iran) said that since the adoption of General Assembly resolution 63/308 there had been no formal intergovernmental debate or agreement among Member States regarding the definition of the concept of responsibility to

protect, its scope and implications, and possible means of implementation. His delegation would therefore support the proposed oral amendment.

19. **The Chair** said that a recorded vote had been requested.

20. *At the request of the representative of Luxembourg, a recorded vote was taken on the oral amendment proposed by Cuba.*

In favour:

Belarus, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Iran (Islamic Republic of), Libya, Nicaragua, Pakistan, Sierra Leone, Solomon Islands, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Barbados, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Nepal, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Singapore, Slovakia, Slovenia, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Djibouti, Dominican Republic, Ethiopia, Guinea, Guyana, Honduras, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Malaysia, Mali, Mauritania, Mauritius, Morocco, Myanmar, Niger, Oman, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Serbia, South Africa, Sri Lanka, Suriname, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

21. *The oral amendment proposed by Cuba was rejected by 76 votes to 15, with 55 abstentions.*

22. *Draft resolution II was adopted.*

Draft resolution III: Programme budget for the biennium 2016-2017 (A/C.5/70/L.20)

23. **The Chair** drew attention to draft resolution III. Section A dealt with budget appropriations for the biennium 2016-2017, section B with income estimates for the biennium 2016-2017 and section C with the financing of appropriations for the year 2016.

24. *Draft resolution III was adopted.*

Draft resolution IV: Unforeseen and extraordinary expenses for the biennium 2016-2017 (A/C.5/70/L.21)

25. *Draft resolution IV was adopted.*

Draft resolution V: Working Capital Fund for the biennium 2016-2017 (A/C.5/70/L.22)

26. *Draft resolution V was adopted.*

27. Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu invited the Committee to adopt the draft report on the proposed programme budget for the biennium 2016-2017 (A/C.5/70/L.23).

28. *The draft report of the Fifth Committee was adopted.*

Agenda item 132: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Questions deferred for future consideration (A/C.5/70/L.24)

Draft decision A/C.5/70/L.24: Questions deferred for future consideration

29. *Draft decision A/C.5/70/L.24 was adopted.*

Completion of the work of the Fifth Committee at the main part of the seventieth session of the General Assembly

30. **Mr. Takasu** (Under-Secretary-General for Management) said that the consensus on the

programme budget reflected agreement among Member States that they should fulfil their financial responsibilities to the United Nations. The regular budget had remained steady for the preceding four bienniums, apart from provisions for recosting and special political missions. As a result of the Secretary-General's quest for efficiencies, the programme budget for the biennium 2016-2017 was no exception, being lower than the outline level and even the final appropriation for 2010-2011.

31. Although the regular budget was much reduced, the Secretariat was grateful to the Committee for enabling the United Nations to support follow-up to and review of the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda, pending consideration of a comprehensive report in 2016. The Secretariat had upheld its obligation to make the best use of the resources entrusted to it by Member States, but the further cut in public information and common support services at the final stage of the negotiations had gone beyond identified efficiencies and would pose an operational challenge given the ongoing and new initiatives to transform the Organization and establish a truly global Secretariat. As demands for the implementation of new mandates grew, the budget decisions of the General Assembly were critical to the Secretariat's ability to adapt to the changing landscape.

32. **The Chair** commended the Committee on its extraordinary efficiency at the main part of the session, notwithstanding its heavy workload related to consideration of the programme budget for 2016-2017, the United Nations common system compensation package, the scale of assessments and the outcomes of the processes marking the seventieth anniversary of the Organization. The Committee's accomplishments would not have been possible without the tireless efforts of all involved.

33. **Mr. Davidson** (South Africa), speaking on behalf of the Group of 77 and China, said that the Committee had considered numerous items that were critical to the efficient and effective functioning of the United Nations, including the programme budget for 2016-2017, revised estimates, programme budget implications of draft resolutions, the scale of assessments, the United Nations common system, various capital projects, the international tribunals, and the reports of the Committee on Conferences and the Committee for Programme and Coordination. The Committee had approved a $5.4 billion budget focused on enhancing the Organization's ability to deliver on its mandates more effectively and efficiently, and had adopted a common system package that was fit for purpose, after a comprehensive review by the International Civil Service Commission. The Group had particularly focused on protecting the development pillar of the United Nations, and acknowledged the policy guidance and resources provided.

34. **Mr. Kisoka** (United Republic of Tanzania), speaking on behalf of the Group of African States, welcomed the Committee's accomplishments, achieved at the expert level, and hoped that future consultations would be guided by a similar spirit of consensus. The Group expected the Secretary-General and managers to utilize the limited resources allocated to ensure the timely implementation of mandates, without fail.

35. **Mr. Vrailas** (Observer for the European Union) commended the members of the Fifth Committee on their exemplary constructive engagement, which had permitted timely consensus on a number of critical items, including the programme budget and the common system, milestone agreements that would define the functioning of the Organization in the years ahead. The members of the European Union were staunch supporters of the United Nations and effective multilateralism and greatly valued the principle of consensus-based decision-making at the heart of the Committee's working practices. The flexibility demonstrated by groups and delegations was a testament to their ability to take collective decisions in the interest of the Organization and its objectives.

36. The programme budget for 2016-2017 should allow the Organization to implement the complex mandates set forth in the landmark multilateral agreements concluded on the occasion of its seventieth anniversary. Similarly, the agreement on the compensation package for Professional staff should allow the Organization to attract staff of the highest professional expertise and integrity.

37. **Mr. Minami** (Japan) said that the timely completion of the Fifth Committee's work was the latest success in a series of achievements for multilateral diplomacy at the United Nations, which included the outcomes of the Third United Nations World Conference on Disaster Risk Reduction, the third International Conference on Financing for Development and the twenty-first session of the

Conference of the Parties to the United Nations Framework Convention on Climate Change, as well as the adoption of the 2030 Agenda for Sustainable Development.

38. His delegation welcomed the consensus on the first reform of the common system compensation package to be enacted in 25 years, as well as the outcome of the negotiations on the programme budget for 2016-2017, in spite of its concerns about the process for determining the revised estimates for the implementation of the 2030 Agenda and the Addis Ababa Action Agenda. A more structured process for the consideration of those matters should be followed in 2016. He welcomed the win-win outcome of the Committee's work, which must be soundly managed to ensure the functioning of the Organization and delivery of its mandates.

39. **Mr. Guo** Xuejun (China) said that he hoped that the cooperative spirit that had characterized the Fifth Committee's negotiations would be maintained. The draft resolutions adopted by the Committee, while not necessarily satisfactory, reflected a consensus among Member States on measures to strengthen the work of the Organization, and laid the foundation for the following phase of the Committee's negotiations.

40. **Ms. Oh** Youngju (Republic of Korea) said that, through the collective efforts of Member States, the Committee had avoided the protracted negotiations on contentious issues that had characterized previous years' consultations. Dialogue, partnership and agreement were essential to the sustainability of the General Assembly, particularly the Fifth Committee. The Committee's constructive working methods and tradition of consensus-based decision-making should be maintained.

41. The outcomes achieved by the Committee contributed significantly to the United Nations. It had adopted the scale of assessments for the period 2016-2018, the foundation for the Organization's financial sustainability, and had approved an appropriate budget level for the biennium by enacting reforms aimed at realizing efficiencies while ensuring effective mandate implementation and providing resources for the initial phase of implementation of the 2030 Agenda. The Committee had also modernized the compensation package for United Nations staff with a view to enhancing its transparency and sustainability.

42. **Ms. Norman Chalet** (United States of America) said that the collaborative nature of the negotiations and the consensus achieved on the items before the Committee were a testament to Member States' commitment to enabling the Organization to deliver its vital mandates in an efficient manner. The Committee would continue to build on the critical decisions made with a view to ensuring that the regular budget instilled budgetary discipline; that the compensation package was more modern, simple and cost-effective; that major business transformation initiatives were mainstreamed; and that major construction projects were adequately resourced and governed.

43. **Mr. Burity** (Angola) welcomed delegations' extraordinary commitment throughout the main part of the session as having fostered increased mutual trust and respect and enabled the Committee to conclude its negotiations within the time allocated. The lessons to be learned from the Committee's achievements, particularly with regard to the need to empower and support experts throughout the negotiation process in order to ensure fruitful outcomes, could be usefully applied to improve the efficiency and effectiveness of its working methods.

44. **Mr. García Landa** (Mexico) said that the outcomes of the Committee's deliberations placed it on a path to reach constructive agreements at the resumed part of the session.

45. **The Chair** declared that the Fifth Committee had completed its work at the main part of the seventieth session of the General Assembly.

The meeting rose at 6.45 p.m.